

MESSAGE NO: 5235114 MESSAGE DATE: 08/23/1995  
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CASE #(s): A-475-401

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/23/1995 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: SCOPE RULING ON CERTAIN BRASS FIRE PROTECTION EQUIPMENT FROM ITALY  
(A-475-401)GIACOMINI S.P.A. (GIACOMINI)

MESSAGE NO: 5235114 DATE: 08 23 1995

CATEGORY: ADA TYPE: SCO

REFERENCE: REFERENCE DATE:

CASES: A - 475 - 401 - -

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PERIOD COVERED: 08 23 1995 TO

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS  
DISTRICT, AREA AND PORT DIRECTORS

FROM: DIRECTOR, TECHNICAL PROGRAMS

RE: SCOPE RULING ON CERTAIN BRASS FIRE PROTECTION EQUIPMENT  
FROM ITALY (A-475-401)GIACOMINI S.P.A. (GIACOMINI)

1. ON MARCH 6, 1995, IN RESPONSE TO A REQUEST BY GIACOMINI, S.P.A. (GIACOMINI), THE DEPARTMENT OF COMMERCE (THE DEPARTMENT) ISSUED A FINAL SCOPE RULING THAT GIACOMINI PRESSURE CONTROL (REGULATING) VALVE MODELS A201, A202, A203 AND A204, AND GIACOMINI LEADER LINE SIAMESE VALVE MODEL A99 ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CERTAIN BRASS FIRE PROTECTION EQUIPMENT FROM ITALY.

2. THE COMMERCE DEPARTMENT DETERMINED THAT GIACOMINI PRESSURE CONTROL (REGULATING) VALVE MODELS A201, A202, A203 AND A204 ARE OUTSIDE THE SCOPE OF THE ORDER BECAUSE DURING THE ORIGINAL INVESTIGATION OF THIS CASE, THE INTERNATIONAL TRADE COMMISSION (ITC) DETERMINED THAT INDUSTRIES IN THE UNITED STATES ARE NOT MATERIALLY INJURED OR THREATENED WITH MATERIAL INJURY, NOR IS THE ESTABLISHMENT OF AN INDUSTRY MATERIALLY RETARDED BY REASON OF IMPORTS OF PRESSURE REGULATING VALVES OF BRASS FOR USE IN FIRE PROTECTION SYSTEMS. AS A RESULT OF THE ITC'S NEGATIVE INJURY DETERMINATION WITH RESPECT TO PRESSURE REGULATING VALVES, THE DEPARTMENT DID NOT INCLUDE PRESSURE REGULATING VALVES IN THE SCOPE OF THE ORDER.

THEREFORE, GIACOMINI PRESSURE CONTROL (REGULATING) VALVE MODELS A201, A202, A203 AND A204 ARE OUTSIDE THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON CERTAIN BRASS FIRE PROTECTION EQUIPMENT FROM ITALY.

WITH REGARD TO GIACOMINI LEADER LINE SIAMESE VALVE MODEL A99, THE INFORMATION SUBMITTED BY GIACOMINI CLEARLY DEMONSTRATES THAT THIS PRODUCT DOES NOT MEET THE DESCRIPTION OF THE MERCHANDISE COVERED BY THE SCOPE OF THE ORDER (PRESSURE RESTRICTING VALVES AND SINGLE AND DOUBLE CLAPPER SIAMESE FIRE DEPARTMENT CONNECTIONS). THEREFORE, GIACOMINI LEADER LINE SIAMESE VALVE MODEL A99 IS OUTSIDE THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON CERTAIN BRASS FIRE PROTECTION EQUIPMENT FROM ITALY.

3. EFFECTIVE IMMEDIATELY, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES, REGARDLESS OF ENTRY DATE, OF GIACOMINI PRESSURE CONTROL (REGULATING) VALVE MODELS A201, A202, A203 AND A204, AND GIACOMINI LEADER LINE SIAMESE VALVE MODEL A99, FROM ITALY.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO GIACOMINI PRESSURE CONTROL (REGULATING) VALVE MODELS A201, A202, A203 AND A204, AND GIACOMINI LEADER LINE SIAMESE VALVE MODEL A99, FROM ITALY.

5. THE REFUND OF CASH DEPOSITS BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE SERVICE CODE OF 1954 FOR SUCH PERIOD.
6. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF BRASS FIRE PROTECTION EQUIPMENT, SUBJECT TO THE ANTIDUMPING DUTY ORDER ON CERTAIN BRASS FIRE PROTECTION EQUIPMENT FROM ITALY.
7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL THROUGH THE APPROPRAITE SUPERVISORY CHANNELS, TECHNICAL PROGRAMS, ANTIDUMPING/COUNTERVAILING DUTY USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT TOM PROSSER ON 202-482-1130, OFFICE OF ANTIDUMPING COMPLIANCE, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE.
8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

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## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party